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July 14, 1999

**WRITER'S DIRECT NUMBER:**

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Assistant Commissioner for Patents  
Washington, D.C. 20231

Re: U.S. Utility Patent Application  
Appl. No. 09/308,109; 102(e) Date: June 2, 1999  
For: **Methods for Producing the Anaphase Promoting Complex**  
Inventors: NASMYTH *et al.*  
Our Ref: 0652.1880000/REF/KKV

Sir:

Transmitted herewith for appropriate action are the following documents:

1. Fee Transmittal Form PTO/SB/17;
2. Preliminary Amendment; and
3. One (1) return postcard.

It is respectfully requested that the attached postcard be stamped with the date of filing of these documents, and that it be returned to our courier. In the event that extensions of time are necessary to prevent abandonment of this patent application, then such extensions of time are hereby petitioned.

RECEIVED  
JUL 15 1999  
TECH CENTER 1620-100

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

Assistant Commissioner for Patents

July 14, 1999

Page 2

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036. A duplicate copy of this letter is enclosed.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Raz E. Fleshner  
Attorney for Applicants  
Registration No. 34,331

REF/KKV/neh

Enclosures

P:\USERS\kvidovic\0652\1880000\071499-prelim.cvr  
SKGF Rev. 9/23/98 dcw

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

**FEE TRANSMITTAL**

Patent fees are subject to annual revision on October 1.

These are the fees effective October 1, 1997.

Small Entity payments must be supported by a small entity statement,  
otherwise large entity fees must be paid. See Forms PTO/SB/09-12.  
See 37 C.F.R. §§ 1.27 and 1.28.**Complete if Known**

Application Number	09/308,109
102(e) Date	June 2, 1999
First Named Inventor	NASMYTH et al.
Examiner Name	To Be Assigned
Group / Art Unit	1644
Attorney Docket Number	0652.1880000/REF/KKV

TOTAL AMOUNT OF PAYMENT

(\$)-- 0 --

**METHOD OF PAYMENT (check one)**

- 1.
- ☐
- The Commissioner is hereby authorized to charge indicated fees and credit any overpayment to:

Deposit Account Number

19-0036

Deposit Account Name

Sterne, Kessler, Goldstein &amp; Fox P.L.L.C.

- ☐
- Charge Any Additional Fee Required Under 37 CFR 1.16 and 1.17
- ☐
- Charge the Issue Fee Set in 37 CFR 1.18 at the Mailing of the Notice of Allowance

- 2.
- ☐
- Payment Enclosed:
- ☐
- Check No. \_\_\_\_\_

☐ Money Order ☒ Other\*

\*Charge any deficiencies or credit any overpayments in the fees or fee calculations of Parts 1, 2 and 3 below to Deposit Account No. 19-0036.

**FEE CALCULATION****1. BASIC FILING FEE**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description	Fee Paid
101	760	201	380	Utility filing fee	_____
106	310	206	155	Design filing fee	_____
107	480	207	240	Plant filing fee	_____
108	760	208	380	Reissue filing fee	_____
114	150	214	75	Provisional filing fee	_____

SUBTOTAL (1) (\$) \_\_\_\_\_

**2. EXTRA CLAIM FEES**

Total Claims	Extra	Fee from below	Fee Paid
9 - 12** = 0	X	0	= -0-
Indep. Claims 4 - 4** = 0	X	0	= -0-
Multiple Dependent Claims			= -0-

\*\* or number previously paid, if greater; For Reissues, see below

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
103	18	203	9	Claims in excess of 20
102	78	202	39	Independent claims in excess of 3
104	260	204	130	Multiple dependant claim
108	78	209	39	**Reissue independent claims over original patent
110	18	210	9	**Reissue claims in excess of 20 and over original patent

SUBTOTAL (2) (\$) \_\_\_\_\_

**FEE CALCULATION (continued)****3. ADDITIONAL FEES**

Large Fee Code	Entity Fee (\$)	Small Fee Code	Entity Fee (\$)	Fee Description
105	130	205	65	Surcharge - late filing fee or oath
127	50	227	25	Surcharge - late provisional filing fee or cover sheet
139	130	139	130	Non-English specification
147	2,520	147	2,520	For filing a request for reexamination
112	920*	112	920*	Requesting publication of SIR prior to Examiner action
113	1,840*	113	1,840*	Requesting publication of SIR after Examiner action
115	110	215	55	Extension for reply within first month
116	380	216	190	Extension for reply within second month
117	870	217	435	Extension for reply within third month
118	1,360	218	680	Extension for reply within fourth month
128	1,850	228	925	Extension for reply within fifth month
119	300	219	150	Notice of Appeal
120	300	220	150	Filing a brief in support of an appeal
121	260	221	130	Request for oral hearing
138	1,510	138	1,510	Petition to institute a public use proceeding
140	110	240	55	Petition to revive - unavoidable
141	1,210	241	605	Petition to revive - unintentional
142	1,210	242	605	Utility issue fee (or reissue)
143	430	243	215	Design issue fee
144	580	244	290	Plant issue fee
122	130	122	130	Petitions to the Commissioner
123	50	123	50	Petitions related to provisional applications
126	240	126	240	Submission of Information Disclosure Stmt
581	40	581	40	Recording each patent assignment per property (times number of properties)
146	760	246	380	Filing a submission after final rejection (37 CFR 1.129(a))
149	760	249	380	For each additional invention to be examined (37 CFR 1.129(b))

Other fee (specify) :

Other fee (specify) :

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3) (\$) \_\_\_\_\_

**SUBMITTED BY**

Typed or Printed Name

Raz E. Fleshner

Signature

Raz E. Fleshner

Date

July 14, 1999

**Complete (if applicable)**

Reg. Number

34,331

Deposit Acct. User ID

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JUL 05 2001

TECH CENTER 1600/2900



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

#14  
7-6-01  
VC

In re application of:

Nasmyth *et al.*

Appl. No. 09/308,109

102(e) Date: June 2, 1999

For: **Methods for Producing the  
Anaphase Promoting Complex**

Art Unit: 1644

Examiner: Lu, F.

Atty. Docket: 0652.1880000/EKS/VSS

### Reply To Restriction Requirement

Commissioner for Patents  
Washington, D.C. 20231

Sir:

In reply to the Office Action dated June 1, 2001, requesting an election of one invention to prosecute in the above-referenced patent application, Applicants hereby provisionally elect to prosecute the invention of Group III, represented by claims 11-13. This election is made without prejudice to or disclaimer of the other claims or inventions disclosed.

Reconsideration and withdrawal of the Restriction Requirement, and consideration and allowance of all pending claims, are respectfully requested.

It is not believed that extensions of time are required, beyond those that may otherwise be provided for in accompanying documents. However, if additional extensions of time are necessary to prevent abandonment of this application, then such

extensions of time are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor are hereby authorized to be charged to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.



Eric K. Steffe  
Attorney for Applicants  
Registration No. 36,688

Date: July 2, 2001  
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